

Atty. Dkt. No. 033730-0102

AFB
IFW

Applicant: Henricus Petrus Joseph TE RIELE, et al.
Title: HOMOLOGOUS RECOMBINATION IN MISMATCH
REPAIR INACTIVATED EUKARYOTIC CELLS
Appl. No.: 09/884,877
Filing Date: 6/20/2001
Examiner: J. Woitach
Art Unit: 1632

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- ☒ ATCC Depository (3 pgs.) and Affidavit of Hein Te Riele (1 pg.).
- ☒ The fee required for additional claims is calculated below:

| | Claims As Amended | | Previously Paid For | | Extra Claims Present | | Rate | | Additional Claims Fee |
|--|-------------------------|---|------------------------|---|-------------------------|---|----------|---|--------------------------|
| Total Claims: | 17 | - | 49 | = | 0 | x | \$50.00 | = | \$0.00 |
| Independent Claims: | 3 | - | 3 | = | 0 | x | \$200.00 | = | \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | | | + | \$360.00 | = | \$0.00 |
| CLAIMS FEE TOTAL | | | | | | | | = | \$0.00 |

- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | | |
|-------------------------------------|---|------------|----------|
| <input checked="" type="checkbox"/> | Extension for response filed within the first month: | \$120.00 | \$120.00 |
| <input type="checkbox"/> | Extension for response filed within the second month: | \$450.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$1,020.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,590.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$2,160.00 | \$0.00 |
| | EXTENSION FEE TOTAL: | | \$120.00 |
| <input type="checkbox"/> | Statutory Disclaimer Fee under 37 C.F.R. 1.20(d): | \$130.00 | \$0.00 |
| | CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL: | | \$120.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | \$0.00 |
| | TOTAL FEE: | | \$120.00 |

☐ Please charge Deposit Account No. 19-0741 in the amount of \$120.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$120.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

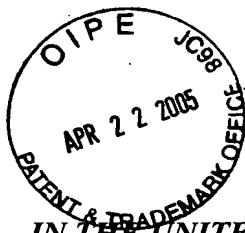
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 22, 2005

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Registration No. 35,264



Atty. Dkt. No. 033730-0102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henricus Petrus Joseph TE RIELE,
et al.

Title: HOMOLOGOUS
RECOMBINATION IN
MISMATCH REPAIR
INACTIVATED EUKARYOTIC
CELLS

Appl. No.: 09/884,877

Filing Date: 6/20/2001

Examiner: J. Woitach

Art Unit: 1632

AMENDMENT AND REPLY UNDER 37 CFR 1.116

Mail Stop FINAL
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Final Office Action dated 12/23/04,
concerning the above-referenced patent application.

Applicants have enclosed with this amendment a Petition for Extension of Time to
make this response timely. Also enclosed with this communication are a copy of Budapest
Treaty Deposit Form indicating that a deposition of the cell line MSH2/9 under number
RH532 was made on March 16, 2005, at ATCC Depository; and an affidavit by Hein Te Riele
stating that the cell lines were deposited under the Budapest Treaty and that the cell lines will
be irrevocably and without restriction released to the public upon the issuance of a patent.

04/25/2005 JADD01 00000023 09884877

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Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks begin on page 6 of this document.

Please amend the application as follows: